

RUTH M. POLLACK, ESQ.  
21 West Second Street • Suite 13  
P.O. Box 120  
Riverhead, New York 11901-0120  
Tel. 631- 591-3160  
Fax. 631-591-3162  
[ruth@ruthmpollackesq.com](mailto:ruth@ruthmpollackesq.com)

June 13, 2008

ECF: \_\_\_\_\_

Via ECF and U.S. Mail  
Without Prejudice  
Judge Denny Chin  
United States District Court  
Southern District of New York  
Room 1020  
500 Pearl Street  
New York, NY 10007-1312

**Re: Sandoval Canela v. The Tire Depot, Inc., et al., 07CV6797**

Dear Judge Chin:

I represent defendant above-referenced. As the Court is aware, defendant has not filed its answer to the complaint and pursuant to my first application for enlargement granted by the Court on June 5, 2008, the answer is due today.

I am awaiting a return call from plaintiff's counsel, as he is in Court. I intend to tender an offer of settlement to him and, if possible, settle the case. This may require several days. In the interests of judicial economy and for all concerned, I must ask for a final enlargement until June 30, 2008 to file and serve our answer, in the event the case cannot be settled. On Wednesday of this week, I obtained authority to settle the case. I was delayed in Suffolk County Supreme Court most of the day yesterday and could not communicate to the Court earlier.

Thank you.

Respectfully,  
  
RUTH M. POLLACK (RP1407)

RMP: lb

Cc: Jose A. Juarez

Armando Juarez

Helen F. Dalton, Esq. & Assoc. Via ECF and Mail

**CERTIFICATION OF SERVICE BY ECF**

RUTH M. POLLACK, AN ATTORNEY DULY ADMITTED TO PRACTICE LAW IN THE EASTERN DISTRICT OF THE STATE OF NEW YORK, UNDER THE PENALTIES FOR PERJURY, CERTIFIES AS FOLLOWS:

One June 13, 2008, I served the within Plaintiff's Letter Motion for Leave to File Answer by June 30, 2008, Re: **Sandoval Canela v. The Tire Depot, Inc., et al., 07CV6797** upon the following parties by ECF and Mail by placing the letter in postage paid envelope and depositing it in an official US Mail repository addressed as follows:

Helen F. Dalton & Assoc. PC  
69-12 Austin Street  
Forest Hills, NY 11375

Dated: Riverhead, New York  
June 13, 2008



RUTH M. POLLACK (RP1407)